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Todd A. Harvey

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EXAMINER

HONG, HARRY S

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:
 1. Determining the scope and contents of the prior art.
 2. Ascertaining the differences between the prior art and the claims at issue.
 3. Resolving the level of ordinary skill in the pertinent art.
 4. Considering objective evidence present in the application indicating obviousness or nonobviousness.
3. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).
4. Claims 1, 2, 4-6, 9, 10, and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gillespie (US 6,823,048 B2; previously applied) in view of Chan (previously applied) and further in view of Lewis et al. (Lewis; US 6,532,490 B1; previously applied).

Regarding claims 1, 2, 4, 5, 9, 10, and 12, the entire patent to Gillespie plainly and completely teaches by name the claimed method and apparatus for calling name caching in communication networks.

With respect to the limitations recited in claims 6, refer to column 5, lines 26 – 35.

Gillespie differs from the claimed invention in that Gillespie is silent with respect to querying the remote database by the local cache. However, Chan plainly teaches querying a remote database by a local database (see Abstract, penultimate sentence). Therefore, it would have been obvious even to ordinary skill in the art the time of the invention to modify the system of Gillespie to query the remote database(s) directly from the local cache as taught by Chan in order to save time and resources.

Gillespie in view of Chan further differs from the claimed invention in that Gillespie in view of Chan is silent with respect to querying over a signaling network different from a communication network carrying calls. However, Lewis plainly teaches performing secondary queries over a signaling network different from communication network carrying calls (see Figs. 1-3 which clearly show a separate PSTN). Therefore, it would have been obvious even to one of ordinary skill in the art at the time of the invention to modify the system of Gillespie in view of Chan to perform queries over a signaling network different from a communication network carrying calls as taught by Lewis since the motivation of out of band signaling is well established in the telephony art.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Response to Arguments

6. Applicant's arguments filed December 14, 2009 have been fully considered but they are not persuasive.

Indeed, as stated by the applicants, the database 26 of Lewis is shown outside (read separate) the PSTN 18; the examiner never recited anything contrary to this fact. This is why the INE does not and cannot use the PSTN to obtain data but uses the signaling network. And this is why Lewis was applied; because the PSTN is the communication network and the INE uses **the signaling network** to perform the secondary query. Indeed, as again correctly pointed out by the applicants, Lewis fails to teach or suggest the database 26 being accessed via the PSTN. **Because Lewis teaches database 26 being accessed via the signaling network.**

Therefore, claims 1, 2, 4-6, 9, 10, and 12 remain rejected as above.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Harry S. Hong whose telephone number is (571) 272-7485. The examiner is normally off on Wednesdays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad F. Matar can be reached on (571) 272-7488. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Harry S. Hong/
Primary Examiner, Art Unit 2614

March 26, 2010